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05/19/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choi et al.

Application Serial No. 08/961,083

Filed: October 30, 1997

For: Streptococcus Pneumoniae Antigens
and Vaccines



Art Unit: 1641

Examiner: Hines, J.

Attorney Docket No.: PB340P2

Election And Response With Traverse Under 37 C.F.R. § 1.143

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated 3 March 1999, Applicants provisionally elect, *with traverse*, Super Group I represented by newly added claims 198-233 for further prosecution. Applicants further elect Sub-Group Ib drawn to nucleic acid sequences encoding the polypeptides of SEQ ID NO:56, represented in part by the polynucleotide sequences of SEQ ID NO:55. Applicants reserve the right to file one or more divisional applications directed to the non-elected inventions should the restriction requirement be made final.

Submitted concurrently herewith is: (a) a Petition for Extension of Time for a period of one month, up to and including 3 May 1999, accompanied by the appropriate fee; (b) a Fee Transmittal Sheet, accompanied by the appropriate fee; and (c) an Information Disclosure Statement with a Form PTO-1449.

In the claims:

Please cancel claims 22-197 without prejudice.

Please add the following claims:

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MATRIX CUSTOMER
SERVICE CENTER

Sub E6
B -- 198. (New) An isolated nucleic acid molecule comprising a polynucleotide selected from the group consisting of:

- (a) a polynucleotide encoding amino acids 1 to 796 of SEQ ID NO:56;
- (b) a polynucleotide encoding amino acids 2 to 796 of SEQ ID NO:56;

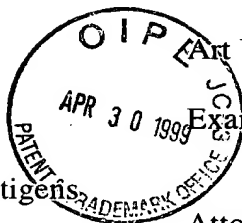
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FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.00.

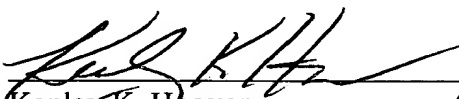
The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY			
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate		Add. Fee	or	Rate	Add. Fee
Total	65	Minus	181	=	0	X9	\$ **		X18	\$ 0.00	
Indep	2	Minus	13	=	0	X39	\$ **		X78	\$ 0.00	
First Presentation of Multiple Dep. Claims					+ 135		\$ **		+ 270		\$ **
Total						\$ **		or	Total		<u>\$ 0.00</u>

Please charge the required fee, and any other fee deemed necessary, to Deposit Account No. 08-3425. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date April 30, 1999


Kenley K. Hoover
Attorney for Applicants

(Reg. No. 40,302)

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KKH/ur